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Senate Bill CR-17F-3225: Constitutional Revision Committee Amendments to Article IV

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Student
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University of North Florida

SENATE LEGISLATION

CR-17F-3225

CR-17F-3225: Constitutional Revision Committee Amendments to Article IV

- Whereas: The Student Government of the University of North Florida was established to represent student concerns in all University wide matters, and;
- Whereas: The Senate is the legislative body of the University of North Florida's Student Government given the responsibility of carrying out such legislative acts that are necessary and proper for the Student Body of the University of North Florida; and;
- Whereas: The Student Government Constitution has inconsistent formatting, and;
- Whereas: The current formatting of the Student Government Constitution wastes space, and;
- Whereas: The Student Government Constitution unnecessarily repeats information, and;
- Whereas: There is no current appeal process for Judicial Complaints, and;
- Whereas: A Judicial appeal process should protect Student Government's Autonomy, and;
- Therefore: The following necessary and proper revision to the Student Government Constitution is being proposed in order to ensure consistent formatting, decrease the size of the document, eliminate repetitions, and clarify language.



SENATE LEGISLATION

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CR-17F-3225: Constitutional Revision Committee Amendments to Article IV

ARTICLE IV: THE JUDICIARY

Section 1: Judicial Powers

The Judicial Power of Student Government shall be vested in the Judicial Branch Supreme Court.

Section 2: Composition of the ~~Supreme Court~~ Judicial Branch

- A. The Judicial Branch Supreme Court shall be composed of ~~seven~~ nine (9) total justices.
- B. A Chief Justice shall be elected annually from within the Supreme Court Judicial Branch to serve as the presiding officer and shall serve a one (1) year term.
- C. A Deputy Chief Justice shall be appointed annually from within the Judicial Branch Supreme Court by the Chief Justice and shall assume the duties of the Chief Justice in the event of his/her/their absence.
- D. Other officers that the Judicial Branch Supreme Court deems necessary shall be chosen according to the Judicial Policies and Procedures.

Section 3: Terms and Qualifications of Justices

A. Terms: Upon installation, Justices may serve a maximum of six (6) years as long as they remain qualified. Acting Justices may also resign their position at any time for any reason.

B. Qualifications: Justices must be A&S Fee-paying students, enrolled in at least one (1) class during the Fall semester and in at least one (1) class during the Spring semester at the University of North Florida, maintain a 2.5 institutional grade point average or higher, unless otherwise approved by the Vice President of Student and International Affairs, and not restricted from participation in Student Government by the University of North Florida's Student Conduct Office. Students may seek membership to Student Government during their first semester and shall be exempt from the GPA requirement.

Section 4: Installation of Justices

Procedure: When there is a vacancy on the Judicial Branch Supreme Court, the President shall forward a Judicial Nominee to the Government Oversight Committee to be vetted. The Government Oversight Committee will forward the Judicial Nominee to the Senate for majority confirmation. Upon majority confirmation from Senate, the Judicial Nominee shall immediately be installed as an acting Justice.

Section 5: Jurisdiction and Judicial Processes

A. Powers: The Judicial Branch Supreme Court shall have the power of Judicial Review over all ~~Executive and Legislative Acts~~ matters under the purview of Student Government. This power shall

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include and be limited as prescribed by law.

1. The Judicial Branch Supreme Court must negate and remove existing Student Government Statute, ~~a~~Appropriation, ~~l~~aw, Joint Resolution, Executive Order, and/or Senatorial policy when it conflicts with any provisions of the Student Government Constitution.

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2. Prior to any judgment that negates or removes existing Student Government Statute, ~~a~~Appropriation, ~~l~~aw, Joint Resolution, Executive Order, and/or Senatorial policy that is being challenged on the grounds that it violates Federal law, State law, Local law or ordinance, or University regulation, the Judicial Branch Supreme Court may consult with the University of North Florida's General Council.

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3. The Judicial Branch Supreme Court may issue a temporary stay against the application of a Student Government Statute, ~~a~~Appropriation, ~~l~~aw, Joint Resolution, Executive Order, and/or Senatorial policy in time sensitive matters not to exceed ten (10) business days, in order to provide ample time for a judicial hearing and decision. The Judicial Branch Supreme Court shall not issue more than two (2) stays for any one complaint or issue.

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4. The Judicial Branch Supreme Court shall serve as the final deciding body for all disputes between Student Government student employees, members, and/or elected officials which involve Student Government law. Judicial relief in such cases shall be prescribed by law but must always be comparable to the judicial power exercised by courts in the United States Federal Court System.

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B. General Restrictions: The aforementioned power of the Judicial Branch Review outlined in Section 5 of this Article cannot be enacted unless an A & S fee paying student files a written complaint. Furthermore, the complainant cannot be a member of the Judicial Branch Supreme Court and any judgment rendered must be within the purview of the complaint.

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C. Constitutional Restriction: The Judicial Branch Supreme Court may not change, amend, negate, or remove any provision of the Student Government Constitution at any time for any reason.

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Section 6: Administration: Practice and Procedure

A. Quorum for all ~~Student Government Judicial Branch Supreme Court~~ hearings shall be set at more than half of the current membership of the Judicial Branch Supreme Court. Membership shall be defined as the total number of Justices, excluding vacant seats and those on a leave of absence.

B. The Chief Justice of ~~the Supreme Court~~ shall serve as the chief administrative officer of the judiciary, and, in accordance with the Judicial Policies and Procedures, shall be vested with the authority to:

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1. Assign duties among the Justices of the Judicial Branch; ~~Supreme Court~~.

2. Conduct and preside over Judicial Branch Supreme Court proceedings;



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3. Rule on procedural questions that arise during the course of the judicial proceedings;
 4. Report in writing to the Respondent of any complaint filed with the Judicial Branch ~~Supreme Court~~;
 5. Be responsible for administering the "Oath of Office" to all Student Government officers;
 6. Inform the Senate of the condition of the ~~Judiciary~~, Judicial Branch; and;
 7. Report to the Senate such defects in the laws as may have been brought to the attention of the Judicial Branch ~~Supreme Court~~ and suggest such amendments or additional legislation which is deemed necessary.
- C. The Judicial Branch ~~Supreme Court~~ shall establish its own meeting times, rules, and procedures as prescribed by law.
- D. The Judicial Branch ~~Supreme Court~~ may, with two-thirds (2/3) concurrence of all active justices, remove a justice due to the excessive accumulation of absence points.
- E. The Judicial Branch ~~Supreme Court~~ shall conduct open h Hearings for all cases.

Therefore: Let it be enacted that the following changes to Article IV be made effective immediately upon passage by the Student Body and validation of the Fall Student Government elections.

Legislative Action

Author: Constitution Revision Committee
Sponsor: Senator Pluchon
Senate Action: Unanimous Consent
Date of Senate Action: September 29, 2017

Signed and Delivered to the Office of Elections
on this 6th day of October, 2017

Place Time Stamp Here

Signed: _____

Thomas Beaucham, Student Senate President

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